Previous references.

1903.

(Sep. Revenue)

File No. ~~226~~ 232 of 1903.

Serial Nos. 1–4.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1–4

Major

~~Part~~ B. for November 1903

SUBJECT

Claim for Remission by Gundappa of Kottegere contractor of Arrack shops Nos 1, 2 and 7, of the Shimoga town for the year 1900-01.

SL 1. From Gundappa of Kottegere, Arrack Contractor of Shimoga Town for 1900-01.

Petition Registered No 2225 of 4-3-03.

Submits appeal petition against the order of the Dy Commr which refused to sanction a remission of Rs 665/10-. prayed for by the petitioner and prays that the same may be ordered for remission.

G. R. S. 58

GPB—4,000—4-7-11

SL 2 To the Excise Commr No $\frac{571}{2x}$ 4-4-03

Forwards the above petition for an early report with the Proceedings of the case.

SL 3

SL3 From the Excise Commr No 6543/414 of 26/29 April 03.

Submits copy of correspondence together with a file of vernacular papers and a remission statement for Rs 665/10-0 in favour of Epundappa licensee of three separate arrack shops, Shimoga town for the year 1900-01.

SL4. To - The Excise Commr, The Comptroller } Nos 414-5 / Ex.J. 100/98. / 97-21-11 03.

Intimates that under the circumstances represented, the sum of Rs 665/10-0, in question will be written off the accounts, and orders that such Remissions must be discouraged.

S. R. 23 Dist 02-03

Office of the Dewan of Mysore.

File No. (if any)

Directions.

No., date and purport of receipts to be entered in red, and office note in black ink in order of dates.—To be written only on one side, and inside the line of margin.

Office Note.

Branch Excise

Comm no. 6543/444 of 29/4/03 —

Subject Remission of Rs 665-10-2 due from one Cundappa, arrack ~~vend~~ vendor of Shimoga for 1900-01.

Owing to the outbreak of Plague in Shimoga in October 1900 the town was evacuated. Consequently the shops of the licensee did not work during the said & subsequent months. As the result of this the licensee defaulted in the payt of the Kists for October & ~~subsequent~~ following four months.

Upon some correspondence the Dy Comr directed the resale of the shops on their being leased out to the Vendors for the same amounts under clause 23 of para 5 of ~~Rule~~ Rule XXI of the arrack rule.

2. In the meanwhile, the licensee was constantly

no 941 of 12/2/01. A

letting the auctioneer & the
Dy. Comrs. for the permission
of the Kists due from him
for the above period &
on his petn. of 26/2/01, the
then Dy. Comrs. Mr.
H. V. Nanjundayya ordered
No 991 of 27.2.01 the al. "if the licensee pro-
"duces half of the arrears
"due from him to the end
"of Jeshty, before the time of
"sale (evidently the pre-sale
"of the stocks ordered in his
"no 941 of 12/2/01 referred to in para 1)
"& gives proper security
"for the Kists that may
"be due from him to the
"end of the lease, the sale
"may be stopped. Orders
"will follow regarding
"the remaining half of
"the arrears due from the licensee"

Auctioneer's report no 378 of 9.3.01 the licensee accordingly
produced Rs. 665-10-0, the
sale was stopped & personal
security obtained for an amount
equal to 2 months' Kists
excluding the security deposit
of the last 2 months' Kists.

Ainslie report 53.D

3 On 14/6/01. the Amildar solicited orders of the Dy Commr, regarding the arrears of Rs 665-10-0 still due from the licensee. The entire record was thereafterwards ref.d to the Excise Dept Offr for opinion as to whether ~~the remission of the above arrears constituting wrongly the defaulter, could be~~ the licensee's claim for the remission of the above arrears, so constantly urged by him, could be entertained. Mr Mallon, the Dept Offr ~~has~~ stated in his name of 13th July 01; that the prayer or claim may be favorably considered as the licensee has incurred loss to the extent of Rs 1574-15-4

Lies Yadi no 1560 of 18/6/01.

4. The present Dy. Commr, of Shimoga, Mr Pattanna Chetty & the Ex. Commr are of opinion that Mr Nanjundayya's order No 991

Ex. Commr letter under disposal & its enclosure

of 27.2.01 gave in a way, an implied promise to remit the half of the arrears i.e. Rs. 10.0 due from the defaulters and in almost all ~~the~~ his petns of the licensee ~~be~~ prefers to a promise said to have been made by the then Commr to remit a portion of the arrears due to Govt.

While recommending the remission of the above amount the Commr states that he has issued a circular to discourage such remissions.

~~A proposal [illegible] is said~~

During the year in question there were 8 separate shops in the Shimoga town & the remission pertd to relate only to 3 of such shops. Nothing is said about the remaining 5 shops as to how they fared &c.

As under the circumstances

no further action seems advisable. A draft penal the remission as called for approval.

True.
3/11/03. I have only a faint recollection but there is no doubt that during the first year of the Plague, the man must have suffered greatly in his trades. It is probable that my giving him time was due to the apprehension that no better terms could be secured at a resale.

5/11/3

To the Dewan,
through the 2nd. Councillor.

Under the circumstances brought to notice, the remission recommended may be sanctioned as a special case with the observations I have added to the office draft.
5-11-03

13861
6.11.03

6/11/3

order on the petn

Call for report with proceedings" (Sd) H.V.N. 4.3.03

Register and send to Excise Branch" (Sd) N.R.T. 4/3/03

Received in this Branch at 4.15 P.M. on 1/4/03

Excise Branch. [illegible]

filed with a draft

True 2/4/03

S.R. 232 of 02-03

S.L.

Ex. 396 of 1-4-03

1902-03

No. 2225

Name of Petitioner Gundappa of Kartagere

Village Contractor of ~~Toddy~~ Shops

Taluk Nos 1, 2, 7 of the Shimoga town for 1900-01.

District residing at Kartagere Tumkur Dt

Date of Arzi 4.3.03

Date of Receipt 4.3.03

Date of Disposal

No. of Enclosure one

ABSTRACT

Appeal against the order of the ~~Dy Commr Shimoga~~ ~~Dt~~ Excise Commr, communicated to the petr, by the Dy Commr notice dated 20.1.03 (proceed) to the effect that remission of Rs 665-10-0 prayed for by the petr in respect of his contract of ~~the~~ 3 Shops in Shimoga town for 1900-01, cannot be granted.

The petr submits that from the close of September 1900 to the end of February 01,

the toddy shops had to be closed owing to the prevalence of plague at Shimoga and the total evacuation of the town; that on the petitioner's representation ~~to~~ dated 26.2.01 to the then Deputy Commr, he was promised that only half remission of the last amount for months would be granted; and that the other half should be paid by him; that he relying on the said promise paid half the arrears by ~~mo~~ disposing of his properties &c; that subsequently also he incurred a heavy loss and the arrears were paid by sale of his lands &c; that the present Deputy Commr has now issued the notice referred to above, declining to remit even the ~~the~~ amount which was already promised to be remitted;

Pray, that (1) the said amount be remitted and (2) the Deputy Commr directed to stay execution of coercive measures pending final disposal of the appeal

Filed 14/3. Forwarded from the registry to day. 14/3.

Two Rupees Stamp affixed

4/3/1903

2225

[illegible] 29/11/02

[illegible] 3495/55 [illegible]

[illegible]

[illegible] 1898-99 [illegible] 1645 [illegible]

[illegible]

[illegible] 5 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

నోటీసు

శివపేట గ్రామ కార్యాలయ-రెవెన్యూ డివిజనింగా—

కుంటుంబాలు కార్యాలయపు పేరిట నుండుట

ప్రకటన—

ఊరి అందు కల్గిన దేవుడు దేవర నీలవు 1900-1901 లో

ఖాతా నెం శివపేట గ్రామపు నత్తం కాలపు పేరి—శిరు

పు కల్గి నుండగు కుటుంబాలు ఆ గ్రామపు పేరిటనుండు ఊ

రంతా రుసుం చెల్లించ వలసి ఉండగా కుంటుంబాలు

పేరుతో ప్రభుత్వం వారి పేరిట నమోదు చేయబడి

కలదు అందు 665-10-0 రూ రిమిషనేరు పేరిట

కాగా ఇంతకు పూర్వము రెవెన్యూ రికార్డు నీలవు పేర్లు మారి

పోయి ఉన్నవి అగు గ్రామస్థులు సంతకాలు గల అందు

పేర్లు కలవారు ఇందు వారు వచ్చి ప్రభుత్వపు

ఈ విధంగా కార్యాలయపు రిమిషనేరు లు గా నిలవబడినారు

అందు 29-11-02 నీ నెం 3495/55 నీ

తాకీదు పట్టు చేయబడింది అందు వారు ప్రకటించిన

పేర్లు మారి పోయి ఉన్న 665-10-0 రూపాయలు మీరు

కార్యాలయపు పేరట నిలిపి ప్రకటించి

నందు నిలిపి పోయిన వారు తమ పట్టి పోయిన పట్టు

పట్టు పత్రాలు పేర్లు మార్చి పేరు మార్చి వేయవలెను

నందు ఇందు ప్రకటించి పోయినట్లు గుర్తించి వెళ్ళగలరు

తా 20-1-03

For Deputy Commr.

S.R 2320/02-03 511/4 Genl. 26.
SL 2 dt. 4.4.03

Offl. memo

Petn. received
2225/4.3.96 dt 4.3.03/1.4.03 from
Gundappa of
Kottagne, licensee
of separate arrack
shops nos 1, 2 & 7 of
the Shimoga town,
for the year 1900-01
praying for the
remission of
Rs 665.00 due
from him, in
consideration of
the loss said to
have been sus-
tained by him owing
to the prevalence
of plague in the

Shinée to town
during the 29 ans
& ~~prayer~~ for the
stay of the execution
of Cocheine meanwhile
pending the final
disposal of his
present petition,
is forwarded to
the Excise Comte
in Mysore, for
favour of an
early report
with the proceedings
of the Case.

B.C.

3/4/43

for Secretary

S. R. 2821 F 02-03 Ex 445 of 1/5/03. 8

SL3

Rein 1.5.03

OFFICE OF THE ... 11778 1- MAY. 1903 ... OF MYSORE

1903.

From

P. N. Parvathaiah Esq. B.A.
Excise Commissioner
in Mysore

To

H. V. Nanjundaiya Esq. M.A., M.L.
Secretary to the Government
of H. H. the Maharaja of Mysore
General and Revenue Dept.

Dated 28th April 1903.

Despatched 29

Received

General No. 6543

No. 414

Enclosure No. 1-3 files.

Subject

Submits copy of correspondence together with a file of vernacular papers and a remission statement for Rs. 665-10-0 in favor of Gundappa, licensee of three separate arrack shops, Shimoga Town for the year 1900-1901 and recommends the remission treating it as a special case similar to the one of Surjapur Anekal Taluk, in which the arrears were remitted by Govt. in Pros. No. 341-50/Ex, dated 16th February 1903.

Note & draft put up
[illegible] 8/5/03

Excise Commissioner's Office

No. 6543/414 Sec/1 & file, Bangalore Dated 29th April 1903.

From

P. N. Purnaiya Esq. B.A.
Excise Commissioner
in Mysore

To,

H. V. Nunjundaiya Esq. M.A.M.L.
Secretary to the Government of
His Highness the Maharaja of
Mysore, General and Revenue
Departments.

Sir,

In reply to your Official Memo. No. 511/Ex., dated 4th April 1903, I have the honor to submit herewith copy of the marginally noted correspondence, together with a file of vernacular papers and a Remission Statement for Rs. 665-10-0 in favour of Gundappa licensee of three separate arrack shops, Shimoga town for the year 1900-1901, and to state that this is a case similar to the case of Sarjapur, Anekal taluk, in which the arrears were remitted by Government in Proceedings No. 341-50/Ex., dated 16th February 1903.

1. Letter No. 985/111, dated 18th November 1902, from the Deputy Commissioner Shimoga District.
2. Letter No. 1856/220, dated 21st March 1903 from
Ditto —
3. Letter No. 1974/233, dated 6th April 1903 from
Ditto —

2. There is no doubt that from Shimoga

Shimoga District Deputy Commissioner's order No. 991, dated 27th February 1901, to the Amildar of the Shimoga taluk, Gundappa had reason to hope that one half of the arrears due by him, would be remitted. Gundappa alleges in his petitions that the then Deputy Commissioner Mr: Nanjundaiya told him that as the whole of the loss sustained by him up to the end of February 1901 viz. Rs. 1331-4-0, could not be remitted, he should pay up one half of it; and that accordingly he paid Rs. 665-10-0, leaving a balance of Rs. 665-10-0 which was promised to be remitted.

3. It will be seen from Memo. No. 117, dated 13th July 1901, of Mr. Mathan Excise Divisional Officer, which is on the accompanying file, that the total loss sustained by Gundappa on account of Plague, upto the end of June 1901, was Rs. 1574-15-4 excluding cost of establishment and other charges. On this the present Deputy Commissioner also has favorably considered Gundappa's application for remission.

4. This is the last case of its kind. I have issued orders that no remission

remission should be promised or recommended except on the ground of loss owing to the prohibition of jatras or fairs.

5. I beg that in the present instance the outstanding balance of Rs. 665-10-0 may be permitted as a special case.

6. The enclosures of your memo. are herewith returned.

I have the honor to be,
Sir,
Your most obedient servant.

M Kennedy

Excise Commissioner
W/in Mysore.

12

1902-03

GOVERNMENT OF MYSORE

EXCISE

PROCEEDINGS

Dated 16th February 1903

No. 341-50 / Ex.

Sanctioning with certain observations, remission statement for Rs. 200, in favor Venkataramaniah, defaulting licensee of e Sarjapur toddy shop, Anekal Taluk, ngalore District, for the year 1898-99.

SBP—23-2-03—250

Proceedings of the Government of His Highness the Maharaja of Mysore, Excise, dated 16th February 1903.

READ—

Letter No. 3822—167, dated 22nd December 1902, from the Excise Commissioner in Mysore, submitting a remission statement for Rs. 200, in favor of Venkataramaniah, licensee of the Sarjapur toddy shop, Anekal Taluk, Bangalore District, for the year 1898-99 and stating that, as the then Deputy Commissioner, Mr. Puttanna Chetty, promised to grant the above remission in consequence of his (licensee's) having suffered loss owing to the prevalence of plague, sanction may be accorded to it.

NO. 341-50—EX., DATED BANGALORE, 16TH FEBRUARY 1903.

ORDER THEREON.—Under the circumstances represented, Government are pleased to sanction the sum of Rs. 200 being written off the accounts, with the observation that the Deputy Commissioner, Mr. K. P. Puttanna Chetty, should not have anticipated the sanction of Government and made the promise referred to above.

2. The said Venkataramaniah having made default in the succeeding year also, Government direct that, as a rule, defaulters should not be permitted to bid at such sales.

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore, returning Vernacular records.
The Comptroller to the Government of Mysore.
The Deputy Commissioners of Districts.

EXD.—J.T.R.

Ex. G. 31]

Statement showing the amount of the Arrears of Rental recommended for Remission in the T

	Name of Farm.	Name of Farmer (defaulter).	Amount of original bid including local cess if any.		Date of resale	Amount recovered or adjusted up to date of resale.			Arrears due on date of resale	Amount of further kists still due from date of resale up to close of original lease.
			Per month	Per annum.		By monthly kist	By distress of goods, &c.	Total		
1	2	3	4	5	6	7	8	9	10	11
Shimoga	Town Separate Shops.									
1	Katagarkeri	Gundappa	66	792	Was not resold	495		495	Was not sold by resale	
2	Tirupalayangadi	— do —	116	1392		870		870		
3	Barbers Street	— do —	84 4/4	1011		631 14		631 14		
		Total	266 4/4	3195		1996 14		1996 14		

Deputy Commissioner's Office

Shimoga District

Dated 18th Nov 1902

Confirmed

[illegible]

for Chief Engineer

in Engineer

aluk of Shimoga in the Shimoga District for the year 1900-01.

Total Amount due from farmer towards original bid	Deduct			Balance irrecoverable and recommended for remission.			Name of Farmer who purchased at resale	Remarks
	Adjustment from security deposits, &c.	Amount realized by resale.	Total Amount.	On account of arrears.	On account of loss by resale	Total.		
12	13	14	15	16	17	18	19	20
297	132	Was not resold	132	165		165	Nil	Owing to plague in the Shimoga Town the consumption in these arrack separate shops owned by Sundappa has been greatly decreased. Hence the remission Statement vide by excise Commissioners No 6223/112 of the 15th April 1903
522	232		232	290		290		
3792	1688		1688	2100		2100		
11982	5328	—	5328	6650	—	6650		

Approved 19/11/1903

For Excise Commissioner in Mysore
29th april 1903.

for Deputy Commissioner,
Shimoga District

Deputy Commissioner's Office
Shimoga District.
Shimoga 18th November 1902

No. 985/111
Enc: 1 a file.

From
K. P. Puttanna Chetty Esq.
Deputy Commissioner
Shimoga District.

To,
P. N. Purnaiya Esq. B.A.
Excise Commissioner
in Mysore.

Sir,

I have the honor to forward herewith for sanction of Government a remission statement in favour of Arrack vend renter Gundappa, together with a file of Canarese correspondence connected with it.

2. Gundappa rented the right of vend of arrack in the marginally noted shops in the Shimoga town for 1900-1901 at Rs. 3195 a year. He paid his monthly rental regularly till September 1900 in the latter part of which month plague got in its first appearance here. Inhabitants of Shimoga leaving the place for fear of the epidemic, consumption of Arrack fell very low causing great loss to the renter Gundappa. From October 1900 to February 1901 the consumption of arrack

1. Katagarakoni
2. Tirupalayanagudi
3. Barbers' street

arrack in these shops amounted to only 286 gallons yielding, at Rs. 1-3-8 per gallon, to the renter only Rs 351-8-8 exclusive of the cost of establishment. For the same period the rental due was Rs 1331-4-0.

3. From the above it is clear that the renter has suffered actual loss of Rs. 979-11-4. When Gundappa represented the above circumstances to me, I asked him to pay up half the rental due from him for the period October 1900 to February 1901 which he has done.

4. I request therefore that the other half of the amount amounting to Rs. 665-10-0 may be ordered to be written off the accounts in consideration of the loss sustained by him.

I have &c.

(Signed) T. Chokkanna
~~For~~ Deputy Commissioner
Shimoga District.

Deputy Commissioner's Office
Shimoga District.
21st March 1903.

No. 1856/220
Enc: Can: file.

From

From,

K. P. Puttanna chetty Esq.
Deputy Commissioner,
Shimoga District.

To, P. N. Purnaiya Esq. B. A.
Excise Commissioner,
in Mysore.

Sir,

In reply to your docket No. $\frac{55-75}{98}$ of the 10th instant, I have the honor to retransmit the records connected with arrack contractor Gundappa referred to in the above, for favour of perusal and return when no longer required.

2. From order No. 991 dated 27th February 1901 issued to the Shimoga Taluk by the then Deputy Commissioner Mr. H. V. Nunjundaiya, it will be seen that the representation made by Gundappa for a remission of one half of the arrears due by him was favourably entertained by him. After my coming to this District I made enquiries into the matter of the recovery of the amount due by Gundappa and found that

that he had actually sustained heavy loss, I therefore recommended the remission of the amount in which remained unpaid by him.

3. The petition received with the above is also herewith returned.

I have &c.

(Sd) K. P. Puttanna chetty

Deputy Commissioner

Shimoga District.

No. 1974/233 .. Shimoga District Deputy Commissioner's Office Camp Sirakoppa, Dated 6th April 1903.

From,

K. P. Puttanna chetty Esq.

Deputy Commissioner

Shemoga District.

To, P. N. Purnaiya Esq. B.A.

Excise Commissioner

in Mysore.

Sir,

With reference to your No. 5863/107 of the 24th ultimo, in regarding the remission claimed by Koratigere Gundappa, late Arrack Contractor, Shemoga Town, I have the honor to state that on the outbreak of Plague in

Shemoga

Shemoga in the year 1900-1901 most of the drinking classes encamped themselves in sheds on the plain near Bangigudi. To suit their convenience and to relieve the contractor from loss, one of his permanent shops in the town was allowed to be opened in that vicinity.

2. No jatra or weekly market in the town was stopped on account of the outbreak of Plague during the year under reference.

3. The Deputy Commissioner, Tumkur, has been requested to defer the sale of the attached property until your final instructions are received.

I have &c.

(Signed) K. P. Puttanna Chetty.
Deputy Commissioner
Shimoga District.

Copy

M Deccan

Excise Commissioner
for Mysore.

S. R. 232 of 02-03
SC4.

20

Mysore Govt. Gen. & Rev. Secretariat,
Excise Branch.

File No. (if any) and its date—

Office Draft.

Progs. of the Govt. of H. H. the Maharaja of Mysore.

Read: Letter no 6543/414 of 29.4.03 from the Excise Commr in Mysore, submitting for sanction a pension statement for Rs 665-10-0 in favour of Gundappa licensee of Sebanale ~~shops no.~~ (Arrack) arrack shops nos. 1, 2 & 7 of the Shimoga town for the year 1900-01 in consideration of the loss paid to have been sustained by him owing to ~~Order:~~ the prevalence of Plague in Shimoga

Order no 414-5/47.10-98 of 21.11.03

Under the circumstances represented the pension of Rs 665-10-0 in question will be written off the accounts.

C
5/11/03

2. It is presumed that the licencees of the premises shops have all paid up the accounts due from them.

Such assumption must be discouraged & should according to above of the circular reports to have been issued in that behalf by the Excise Commr.

Secretary

2. Necessary Correspondence recorded

The Compt. Controller.

7/11/83
Prince

Secy
28/11/83

7.XI.83

R. 10/1/83

22

1903-04

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

EXCISE

PROCEEDINGS

Dated 20th November 1903

No. 414-5 / Ex. F. 10-98

Passing orders regarding the question of granting of remissions in favor of licensees of arrack shops for loss sustained by them owing to the prevalence of plague.

SBP—30-11-03—250

Proceedings of the Government of His Highness the Maharaja of Mysore, Excise, dated 20th November 1903.

READ—

Letter No. 6543—414, dated 29th April 1903, from the Excise Commissioner in Mysore, submitting for sanction a remission statement for Rs. 665-10-0 in favor of Gundappa, licensee of separate arrack shops Nos. 1, 2 and 7 of the Shimoga town for the year 1900-01, in consideration of the loss said to have been sustained by him owing to the prevalence of plague in Shimoga.

No. 414-5—Ex. F. 10-98, DATED BANGALORE, 20TH NOVEMBER 1903.

ORDER THEREON.—Under the circumstances represented, the sum of Rs. 665-10-0 in question will be written off the accounts.

2. It is presumed that the licensees of the remaining shops have all paid up the amounts due from them. Such remissions must be discouraged and Government accordingly approve of the circular reported to have been issued in that behalf by the Excise Commissioner.

H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore, returning records.
The Comptroller to the Government of Mysore.

Exd.—C.R.